this opinion of the Supreme Court of the United States on a question arising under the Federal Constitution, and held the New York statute to be unconstitutional.

der the Federal Constitution, and held the New York statute to be unconstitutional. In referring to the case in 173 U. S., the Attorney-General says in his written brief: "I frankly concede that unless this case can be distinguished from the Michigan case, or unless it can be shown that this case is overruied by some other decision of decisions of the United States Supreme Court, the decision of the United States, and the Churchman act must, in that event, be held to be unconstitutional," It is sought to distinguish the Virginia statute from the Michigan statute by pointing out that in the latter law the right to purchase the mileage tickets seemed to be confined to married men, and that the law itself was a portion of a general statute by which the Legislature had fixed a maximum scate of passenger rates. These differences are incidental, and we do not think that they affect the reasoning by which the conclusion is reached by the Supreme Court of the United States. The court says:

"The Legislature has the power to secure to the public schall be exempted from unreasonable exactions, and it has also the authority to pass such laws as shall tend to secure the safety, convenience, somfort and health of its patrons and of the public with regard to the railroad. But in all this we find it neither necessary nor appropriate, in order that the Legislature may exercise its full right over these corporations, to make such a regulation as this, which discriminates sagainst it and in favor of certain individuals, without any reasonable busis therefor, and which is not the fixing of maximum rates or the exercise of any such power."

The Conclusion,

We conclude that the statute before us in conflict with the Constitution of the United States, and is therefore with the Constitution of the United States, and is the Constitution of

"Berry's for Clothes."



here's real comfort.
The accepted models in low cut shoes are shown here in three grades, \$9.50, \$4.00 and \$5.00.

They're the best to be had at hese prices—we would not try o do business with them if



## POINT SCORED FOR MRS. HARTJE

Susie Wagner, on Stand, Makes Important Statement-Mrs.

Hartje Protected.

Property Transfers.

Courthouse Burned.

(By Associated Press.)

MARYVILLE, TENN., July 27.—Fire to-day destroyed the county courthouse, Harper's department store and warehouse, and several other buildings; loss, \$125,000, partially insured.

## NAMES TRUSTEE FOR ZION CITY

Court Rules That Property Does Not Belong to Dowie or

HELD IN TRUST FOR CHURCH

Overseer Will Be Chosen at Election to Be Held on September 18.

Death Accidental

Miners Return to Work

(By Associated Press.)
WHEELING, W. VA., July 27.—The
joint convention of the miners and operators of the eastern district signed a
scale to-day for two years, and operations will be resumed within a week,
giving employment to 8,000 men, who
have been idle four months. The scale
differs but slightly from the wage
scale of 1903, except that some rules then
existing are modified, and new ones are
added.

### News of a Day in Virginia Towns

LYNCHBURG.—The contractors on the new route of the Southern above the city are making good headway in the preliminary work for the grading. The work has been started on the bridge to span the James River, and the approach to the northern end of the tunned the property of the donkey engine matrix of the donkey engines will resound from moining till night through Riverment.

NORFOLK.—The Thomas Iron Works, operated by Roberts, Tatem & Company, and located on the Southern branch of the Elikabeth, in Berkley Ward, lave been sold to George Roper, of the John L. Roper Lumber Company, for \$20,000. The land on which the works are located is also included in the deut. LEXINGTON.—The following delegates have been elected by the Lexington Fire Department to the Virginia State Firement's Association to be held in Richmond August 12-25; J. L. Henderson, G. A. Rhodes, John Spillan, Charles Wright and H. C. Bowyer.

LENINGTON.—The Lexington Town Council have ordered the Street Committee to prepare and recommend to the Council some plan for numbering the houses of the town. The street names were just in place some weeks ago. These steps are preparatory to the introduction of the free mail delivery in Lexington. This will be done as soon as the houses are numbered.

PHOEBUS.—Dr. D. A. Bucher, a pryminent dentist, who has been located in Sinunca and Bridgewater for many years, has decided to locate here.

19 locate here.

PHOSBUS.—Kearney's new brick building, corner of Meller and Maller Streets, is about completed, and Mr. Schmidt. Has there of the Thamberlain Hotel, will open a rectaurant there to morrow. NORFOLK.—The display to be made by the Southern Rallway at the Jamestown Exposition will occupy 7,000 square feet of space, and will be the most magnificent and comprehensive exhibit that can be get up by the rallread. morrow.

relifond.

GREEN BAY.—Protracted meeting will be commenced at the Christian Church here next Monday night and will be continued until the first Sunday in August. On that day all-day services will be held and the meeting closed, The revival will be conducted by the Rev. O. B., Sears, of Farmville, Va.

## SAGE LEFT VAST FORTUNE TO WIFE

ONLY MOVED THE

Home of Mr. Marcuse Opened but None of Household Property Stolen.

SERVANT'S ROOM STRIPPED

May Be That the Woman, Who

is Away, Sent to Some Friend

for Her Things.

living next door, and a son-in-law of Mr Marcuse. Mr. Kirsh was in the house Wednesday afternoon and overything was all right, and the entrance was forced

Cook's Belongings Moved.

Other Houses Entered.

and will not be informed until

Gone Back North.

Gone Back North.

(By Associated Press.)

FAYETTEVILLE, N. C., July 27.—A carload of foreigners sent from Philadelphia by the Hope Mills Manufacturing Company, of that city, to work in the company's mills, seven miles from here, refused to continue their journey on arrival in this city, because of a strike of the mill operatives, who refused to work with foreigners. It is said the differences at the mills have been settled, and the foreigners were returned North to-day.

Balloon Goes Up Again. The hig balloon will so up at idlewood on Monday afternoon, and at night the free show will be in the chap to fash walkers. This will be gen immediately after the Casho, performance.

WATCHMAN SHOT DOWN

AND BOILER EXPLODED

Estate is Valued by Attorneys at Between \$70,000,000 and

RELATIONS GET

If Beneficiaries Contest Probate They Will Be Cut Off Entirely.

## SAVED OTHERS FIRST;

## INJUNCTION TO KEEP MINISTER FROM PULPIT

(By Associated Press)
UNION CITY, TENN., July 27.—Sheriff Childs to-day served an injunction on Rev. J. I., Hudgins, pastor of the Cumberland Presbyterian Church here, and Rev. P. F. Johnson, Cumberland Circuit rider, prohibiting them from using the church property here, selling any literature of the Cumberland Presbyterian Chuch here, or in any way exercising the privilege of Cumberland Presbyterian ministers. This Cumberland Presbyterian ministers of the union with the Northern Presbyterian Church, and the injunction has been secured by union advocates. (By Associated Press)

Run Over Foot.

Jim Brooks, a colored brakeman on the Seaboard Air Line Rallway, had his foot-run over yesterday by Engine 673. He was brought to Richmond and taken to the Memorial Hospital, where Dr. Terroll found amputation necessary. Last night he was doing well and is pretty sure of recovery.

#### THE WEATHER.

Forecast: Virginia—Partly cloudy Sat-urday, showers in east portion; Sunday showers; light to fresh southeast to south

winds, North Carolina — Occasional showers Saturday and Sunday; light southeast to south winds,

Conditions Yesterday.

A severe storm in the early afternoon of yesterday, with heavy rain, caused a decided fall in the temperature, and the weather in the avening was very cool for midsummer. Range of the thermometer.



Coroner's Jury So Finds After Hearing the Evidence of Many Witnesses.

CRAWLEY STARTS TROUBLE

Claimed That the Negro Arrested in Richmond Really Began

# DELAY CALL FOR

#### CRAWLEY IN COURT.

Makes Confused Statement and

crowd where the shooting occurred, but contradicted himself later by saying that he went home to get it before taking the train for Richmond.

A fine of \$100 for carrying concealed weapons and \$300 security for six months was finally decided upon by Justice Crutchfield; but in giving the sentonce His Honor said that who nhe got his story straight, and it proved to be the truth, that the sentence would be reconsidered.

Yesterday afternoon Detective Wren as the contradiction of the contradiction of the considered.

Yesterday afternoon Detective Wren re-Yesterday afternoon Detective Wren received a telegram from Mr. J. Walter Davis, justice of the peace at Meherrin, asking him to send Crawley back at once, as he was summoned as a witness to the murder trial. Crawley has not been sent yet, as Justice Crutchfield must state the conditions under which he goes.

Hair at the Seaside.

Hair at the Seaside.

The care of the hair at the seaside is a very important point, and one which should never be overlooked.

Although thorough and prolonged brushing is always—except in cases of failing hair—a necessity, it is doubly important that it should receive a generous amount of attention when bathing is indulged in. Every morning the hair should be parted down the center above the forehead and each portion given twenty hushs strokes on either side, the same procedure being repeated with regard to the back hair, while the operation should conclude with as many steady strokes in a transverse direction, brushing the hair back from the ears.

Nothing is more difficult than to avoid wetting the hair whon bathing, but if it has become saturated with sait, a well-heaten egg is a capital cleanser. Even when a bathing cap is worn the hair above the nape of the neck and behind the ears frequently gets wot, and instead of washing the whole scalp the dry plait should be secured with a hair-pin at the top of the kead and the damn portion sponged with a solution made of an ounce of borax to a pint of warm water, a remody which will entirely obviate the stickiness which is the usual effect sait water has on the hair.—New York World.



## CONSTANTINE IS NOT MURDERER OF WOMAN

To Attend Congress.

large delegation of Richmond color ple are expected to leave here Sunda that to attend the Negro Congress, while the in Washington Monday. A spect in of five cars Dassed through

#### OBITUARY.

Mrs, Elizabeth Sacra.

and he had been here but with a large becoming immensely popular with a large circle of friends in that short time. He was a native of Cornella, Ga., where his remains will be shipped to-night.

H. Greber Miller.

H. Greber Miller.

(Special to The Times-Dispatch.)

SALIBBURY. N. C., July 27.—H. Greber Miller. a prominent Rowan farmer, died at his home at Franklin to-day at the age of skty-nine. Death was the result of an attack of pneumonia. The decensed was the head of a large and prominent family, and leaves eleven surviving children. Mr. Miller served with distinction in the Confederate army.

Mrs. Laura Douglass.

Mrs. Laura Douglass.

(Special to The Times-Dispatch.)

HEATHSVILLE, VA., July 27.—Mrs.
Laura Douglass died yesterday evening
at "Coah Hall," the home of her son. Mr.
Luther Douglass, after a short illness.
She was eighty years of age. She was
well known throughout the community, being respected and loved by
all who came in contact with her. She
is survived by one son.

Mrs. Florence Allen.

Mrs. Florence Allen. Mrs. Florence Allen.
(Special to The Times-Dispatch.)

SALISBURY. N. C., July 27.—Mrs.
Florence Allen, aged thirty years, dropped
dead at her home, near Salisbury, yesterday atternoon. The deceased was in
the best of health when the stroke came,
and there is no known cause for the
sudden summons. She leaves a husband
and three children.

Dr. Daniel L. Martin.
(Special to The Times-Dispatch.)

(Special to The Times-Dispatch,)
DANVILLE, VA., July 27.—Dr. Daniel
L. Martin, agod 7; years, died Wednesday at his home, near Axton, Henry
county, as the result of being paralyzed.
He was thrice married, and, besides his
wife, cleven omlidren survive him.

#### DEATHS.

BAORA.—Died, at her residence. Bis Oak, Hanover county, Va., Friday morning, July 27, 1866, at 11 o'clock, Mrs. ELIZAHETH BAORA, in the eighty-eighth years of her age.

Asleep in Jesus, blessed sleep, Funoral from home SUNDAY MORNING at 11 o'clock, Conveyances will meet relatives and friends Sunday morning at Taylorsville on train leaving Richmond at 840, R., F. and F.

Plausible.

"What was it the poet said was 'sorrow's crown of sorrow?"

If don't know. Maybe he meant the aching crown you have the morning after you try to drown your sorrow."—Catholig Standard and Times.